

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TRACKMAN, INC.,

Plaintiff,

v.

GSP GOLF AB d/b/a GSPRO, DAVOR
BOGAVAC, SIMULATORGOLFTOUR LLC,
and CHAD COOKE,

Defendants.

GSP GOLF AB d/b/a GSPRO and DAVOR
BOGAVAC,

Counterclaim Plaintiffs,

v.

TRACKMAN, INC.,

Counterclaim Defendant.

Case No.: 1:23-cv-598-NRB

**NOTICE OF DEFENDANTS GSP
PARTIES' MOTION TO DISMISS
CLAIM FOR BREACH OF
CONTRACT (COUNT 4)
PURSUANT TO FED. R. CIV. P.
12(b)(6)**

ORAL ARGUMENT REQUESTED

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law and the Declaration of Jeremy S. Goldman, dated December 15, 2023, and all exhibits attached thereto, Defendants and Counterclaim Plaintiffs GSP Golf AB and Davor Bogavac (together, the "GSP Parties") hereby move the Court, before the Honorable Naomi Reice Buchwald, United States District Judge, United States District Court for the Southern District of New York, at the Daniel Patrick Moynihan U.S. Courthouse, 500 Pearl Street, New York, New York 10007, Courtroom 21A, at a date and time to be determined by the Court, for an order: (1) dismissing Plaintiff TrackMan, Inc.'s claim for breach of contract (Count 4) from its First Amended Complaint, with prejudice, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, and (2) awarding the GSP Parties such other and further relief as the Court deems just and proper.

Dated: Los Angeles, California
December 15, 2023

FRANKFURT KURNIT KLEIN & SELZ, P.C.

By: /s/ Jeremy S. Goldman
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*Attorneys for Defendants/Counterclaim Plaintiffs
GSP Golf AG and Davor Bogavac*

DATED: December 15, 2023

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